

REMARKS

This application has been reviewed in light of the Office Action dated June 16, 2004. Claims 1-3, and 5-10 are presented for examination. Claim 4 has been canceled, without prejudice or disclaimer of subject matter. Subject matter along the lines of that formerly recited in Claim 4 has been incorporated into Claims 1, 5, and 7-10. Claims 1, 3, 5, 7, and 8 have been amended to define more clearly what Applicants regard as their invention. Claims 9 and 10 have been added to provide Applicants with a more complete scope of protection. Claims 1, 5, and 7-10 are in independent form. Favorable reconsideration is requested.

As to an initial matter, the Office Action states that an Information Disclosure Statement allegedly filed on December 22, 2000, fails to comply with 37 C.F.R. § 1.98(a)(1). Applicants did not file an Information Disclosure Statement on December 22, 2000 with the original application papers. An Information Disclosure Statement, however, was filed on March 21, 2001, listing three pending U.S. Applications. Applicants submit that this Information Disclosure Statement complies fully with 37 C.F.R. § 1.98. If the Examiner believes that an Information Disclosure Statement was filed on December 22, 2000, Applicants respectfully request a copy of any such Information Disclosure Statement.

Applicants note with appreciation the indication that Claims 4 and 5 would be allowable if rewritten so as not to depend from a rejected claim, and with no change in scope.

Claim 3 was objected to because of the informality noted at page 2 of the Office Action. Claim 3 has been amended to incorporate the Examiner's suggestion.

Accordingly, Applicants submit that the objection has been obviated, and respectfully request its withdrawal.

Claims 1, 7, and 8 were rejected under 35 U.S.C. § 112, second paragraph, as indefinite.

These claims have been carefully reviewed and amended as deemed necessary to ensure that they conform fully to the requirements of Section 112, second paragraph, with special attention to the points raised in paragraph 3 of the Office Action. Specifically, Claims 1, 7, and 8 have been amended to specify that the color matching process is performed on the input image data when the input image is not a photograph image and on the corrected input image data subjected to the image correction process when it is determined that the input image is a photograph image. Accordingly, the corrected input image data on which the color matching process is performed originates from the output of the image correction process. It is believed that the rejection under Section 112, second paragraph, has been obviated, and its withdrawal is therefore respectfully requested.

Claims 1, 7, and 8 have also been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,828,816 (*Kise et al.*), Claims 2 and 3 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over *Kise et al.* in view of U.S. Patent No. 6,741,262 (*Munson et al.*), and Claim 6 has been rejected under Section 103(a) as being unpatentable over *Kise et al.* in view of U.S. Patent No. 6,266,152 (*Nakajima*).

Claim 1, the base claim of Claim 4, has been rewritten to include subject matter along the lines of that formerly recited in Claim 4. Accordingly, Applicants submit that Claim 1 is now in condition for allowance. Independent Claims 7 and 8 are device and

storage medium claims, respectively, corresponding to method Claim 1, and have been similarly. Accordingly, Applicants submit that Claims 7 and 8 also are in condition for allowance.

Moreover, Claim 5 has been rewritten into independent form by adding features of amended Claim 1. Accordingly, Applicants submit that Claim 5 also is in condition for allowance. Furthermore, new Claims 9 and 10 are apparatus and storage medium claims corresponding to independent Claim 5. Accordingly, Applicants submit that Claims 9 and 10 also are in condition for allowance.

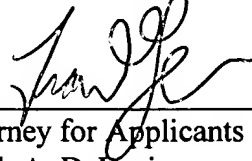
For these reasons, Applicants submit that independent Claims 1, 5, and 7-10 are in condition for allowance.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Frank A. DeLucia", is written over a horizontal line.

Attorney for Applicants
Frank A. DeLucia
Registration No. 42,476

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

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